

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 34903

STATE OF IDAHO,)	2008 Unpublished Opinion No. 653
)	
Plaintiff-Respondent,)	Filed: September 24, 2008
)	
v.)	Stephen W. Kenyon, Clerk
)	
ALBERT CARMONA, JR.,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the Fifth Judicial District, State of Idaho, Twin Falls County. Hon. Randy J. Stoker, District Judge.

Judgment of conviction and unified sentence of five years, with two years determinate, for leaving the scene of an injury accident, affirmed.

Williams Law Office Chtd.; Timothy J. Williams, Twin Falls, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Kenneth K. Jorgensen, Deputy Attorney General, Boise, for respondent.

PER CURIAM

Albert Carmona, Jr. was charged with two counts of leaving the scene of an injury accident, I.C. § 18-8007 and, pursuant to a plea agreement, pled guilty to one count and the state agreed to dismiss the second count. Carmona was sentenced to a unified term of five years, with two years determinate. Carmona appeals, contending that the district court abused its discretion by imposing an excessive sentence.

Where a sentence is within the statutory limits, it will not be disturbed on appeal absent an abuse of the sentencing court's discretion. *State v. Hedger*, 115 Idaho 598, 604, 768 P.2d 1331, 1337 (1989). We will not conclude on review that the sentencing court abused its discretion unless the sentence is unreasonable under the facts of the case. *State v. Brown*, 121 Idaho 385, 393, 825 P.2d 482, 490 (1992). In evaluating the reasonableness of a sentence, we consider the nature of the offense and the character of the offender, applying our well-established standards of review. *See State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-15

(Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App. 1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho 722, 170 P.3d 387 (2007).

Applying the foregoing standards and having reviewed the record, we conclude that the district court did not abuse its discretion by imposing the sentence. Accordingly, Carmona's judgment of conviction and sentence are affirmed.